

Brent H. Blakely (SBN 157292)
bblakely@blakelylawgroup.com
Jamie Fountain (SBN 316567)
jfountain@blakelylawgroup.com
BLAKELY LAW GROUP
1334 Parkview Avenue, Suite 280
Manhattan Beach, California 90266
Telephone: (310) 546-7400
Facsimile: (310) 546-7401
Attorneys for Plaintiff
Deckers Outdoor Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DECKERS OUTDOOR CORPORATION, a Delaware Corporation,

Plaintiff,

v.

LAST BRAND, INC., a Delaware Corporation; and DOES 1-10, inclusive,

Defendants.

CASE NO. 3:23-cv-04850-AMO

**STIPULATION TO EXTEND
DEADLINES IN SCHEDULING
ORDER**

Hon. Araceli Martínez-Olgún

Plaintiff Deckers Outdoor Corporation (“Plaintiff” or “Deckers”) and defendant Last Brand, Inc. d/b/a Quince (“Defendant” or “Quince”) (together Plaintiff and Defendant are referred to as the “Parties”), by and through their counsel of record, hereby stipulate and agree as follows:

WHEREAS on December 16, 2024, the Court issued a Scheduling Order in this matter in which it set dates and deadlines for, among other things, expert discovery and Daubert & Dispositive Motions. Dkt. No. 102;

WHEREAS the Parties desire to modify the Scheduling Order as to the expert-related deadlines by one week, including the deadline to file Daubert & Dispositive

Motions. Good cause exists for such an extension because, despite Deckers' diligence in attempting to meet current deadlines, its experts need additional time to submit their Rebuttal reports. Fed. R. Civ. Proc. 16(b)(4). The extension sought will not affect the current MSJ hearing date. The parties agree to all deadlines relating to expert discovery being extended by one week.

WHEREAS, the Parties accordingly agree to the following modifications and deadlines:

Event	Current Deadline	New Deadline
Expert Disclosures (Rebuttal)	January 10, 2025	January 17, 2025
Expert Disclosures (Reply)	January 24, 2025	January 31, 2025
Expert Discovery Cut-Off	February 14, 2025	February 21, 2025
Daubert & Dispositive Motions Due	February 21, 2025	February 28 , 2025

IT IS SO STIPULATED.

DATED: January 9, 2025

BLAKELY LAW GROUP

By: /s/ Jamie Fountain
 Brent H. Blakely
 Jamie Fountain
 Iain Hill
Attorneys for Plaintiff
Deckers Outdoor Corporation

DATED: January 9, 2025

MORROW NI LLP

By: /s/ Xinlin Li Morrow
 Xinlin Li Morrow
Attorneys for Defendant
Last Brand, Inc. d/b/a Quince

ATTESTATION RE ELECTRONIC SIGNATURES

The filer of this document attest that all other Signatories to this document, on whose behalf this filing is submitted, concur as to the content and have authorized their signature and filing of the document.

DATED: January 9, 2025

By: /s/ Jamie Fountain
Jamie Fountain

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UNITED STATES DISTRICT COURT
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DECKERS OUTDOOR CORPORATION, a Delaware Corporation,) CASE NO. 3:23-cv-04850-AMO

Plaintiff,

v.

LAST BRAND, INC., a Delaware Corporation; and DOES 1-10, inclusive,

Defendants.

**DECLARATION OF JAMIE
FOUNTAIN IN SUPPORT OF
STIPULATION TO MODIFY THE
SCHEDULING ORDER**

Hon. Araceli Martínez-Olguín

DECLARATION OF JAMIE FOUNTAIN

I, Jamie Fountain, declare as follows:

1. I am an attorney at the Blakely Law Group and counsel of record for Plaintiff Deckers Outdoor Corporation (“Plaintiff”) in the above-captioned action. I submit this Declaration in support of Stipulation to Request an Order Changing Time and to Modify Scheduling Order and have personal knowledge of the matter set forth herein, such that if called upon as a witness, I could and would competently testify thereto.

2. Due to the holidays and the impact of the recent fires in Los Angeles, where members of our team live, we would require a short one-week extension to work with our expert witnesses on finalizing their reports.

3. For the above reasons we have sought and obtained Defendant’s agreement to a one-week extension in respect to the expert related case deadlines, and file the accompanying stipulation.

4. I summarize below, based on my firm’s review of the docket, the previous time modifications in the case:

- Stipulations extending time for Defendant Last Brand Inc. to answer complaint, first from July 14, 2023 to August 14, 2023, then from August 14, 2023 to September 13, 2023. Order granting stipulation for latter extension. ECF Nos. 14, 16, 17.
- Defendant’s deadline to answer continued by court order until 21 days after transfer of case to the Northern District of California. ECF No. 19.
- Judge Cisneros’ order permitting the parties to file a joint statement no later than October 17, 2024 with respect to certain discovery issues, when no stipulation or joint discovery letter was filed by October 11, 2024 as originally ordered. ECF No. 93.
- Stipulation with Proposed Order to modify the then-operative Case Management Scheduling Order (ECF No. 32) was filed and granted by the

Court as modified. The effect of this time modification order was to extend expert disclosure deadlines, expert discovery cut-off and the deadline for Daubert and Dispositive Motions by 2 weeks. Further, the court continued deadlines for the dispositive motion hearing, pre-trial statement, pre-trial conference and trial by approximately 5-7 weeks each. ECF Nos. 101 and 102.

- Stipulation and Proposed Order to modify the then Scheduling Order by 3-weeks. The ordered new deadlines are summarized below, as excerpted from the Court's order:

Event	Current Deadline	Proposed Deadline
Expert Disclosures (Rebuttal)	December 20, 2024	January 10, 2025
Expert Disclosures (Reply)	January 3, 2025	January 24, 2025
Expert Discovery Cut-Off	January 24, 2025	February 14, 2025
Daubert & Dispositive Motions	January 31, 2025	February 21, 2025

ECF No. 109.

5. Below is the effect of the requested one-week modification. These jointly-requested modifications do not require changes to the trial date or the dispositive motion hearing date previously set out in the currently operative case schedule.

Event	Current Deadline	New Deadline
Expert Disclosures (Rebuttal)	January 10, 2025	January 17, 2025
Expert Disclosures (Reply)	January 24, 2025	January 31, 2025
Expert Discovery Cut-Off	February 14, 2025	February 21, 2025
Daubert & Dispositive Motions Due	February 21, 2025	February 28 , 2025

1 I declare under penalty of perjury under the laws of United States of America that
2 the foregoing is true and correct.

3 Executed this 25th day of January 2024 in Manhattan Beach, California.

4
5 Dated: January 9, 2025

/s/ Jamie Fountain

Jamie Fountain

BLAKELY LAW GROUP

Attorneys for Plaintiff

Deckers Outdoor Corporation

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~~PROPOSED~~ ORDER GRANTING
STIPULATION TO EXTEND
DEADLINES IN SCHEDULING
ORDER

Hon. Araceli Martínez-Olguín

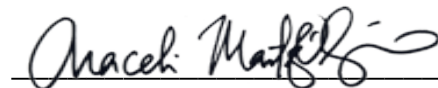
1 Based upon the stipulation of the parties and their showing of good cause, IT
2 IS HEREBY ORDERED that:

3 The following deadlines have moved accordingly:

4 Event	New Deadline
5 Expert Disclosures (Rebuttal)	January 17, 2025
6 Expert Disclosures (Reply)	January 31, 2025
7 Expert Discovery Cut-Off	February 21, 2025
8 Daubert & Dispositive Motions	February 28, 2025

9
10 **IT IS SO ORDERED.**

11
12 DATED: January 14, 2025



Hon. Araceli Martínez-Olguín
United States District Judge